Sessions Assails Bias in Ethics Charges

FBI Chief Brands Some Allegations 'Picayunish,' Concedes Tax Due

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FBI Director William S. Sessions, struggling to save his job in the face of alleged ethical violations, yesterday blamed a searing report about his conduct on a disgruntled FBI security agent, biased Justice Department investigators and former attorney general William P. Barr's animosity.

In a 90-minute interview with a group of reporters, Sessions said the Justice Department's conclusions that he knowingly claimed a phony tax exemption and misused FBI resources are "wrong," "absurd" and "an insult to lawyer-like preparation."

He branded as "picayunish" some items singled out in the report, including his wife Alice's use of FBI cars for rides to the manicurist. In other cases, he said investigators for the department's Office of Professional Responsibility (OPR) omitted facts, such as official meetings he conducted during an out-of-town trip criticized as personal.

Sessions said he will comply with Barr's directives that he pay taxes on the benefit of his government limousine and give OPR investigators access to his home mortgage documents, although he said OPR's suspicion he received a break on the mortgage is unfounded. He continues to resist Barr's orders that he repay the FBI for the cost of a fence

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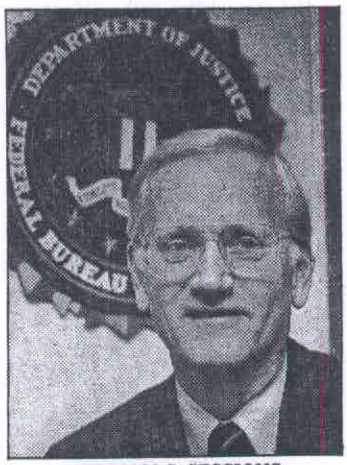
around his yard and for allegedly personal air travel, saying he must determine the facts first.

The 62-year-old former federal judge, who last week faced growing pressure from the White House and within the bureau to resign, voiced confidence that President Clinton will reject the OPR's findings and allow him to serve out the remaining half of his 10-year term.

Clinton's decision early Friday to withdraw the nomination of Zoe E. Baird for attorney general appears to both help and hurt Sessions. Clinton advisers have put off the question of Sessions's future while they scramble to find a new nominee to head the Justice Department, giving Sessions time to try to build support.

On the other hand, a White House official already has characterized Sessions's pattern of alleged unethical conduct as more disturbing than Baird's single instance of hiring illegal immigrants. Having dropped the attorney general-designate, the Clinton White House could be hard-pressed to justify keeping the FBI director.

Sessions was alternately combative and plaintive as he paced back and forth in front of long table where reporters were seated in a FBI conference room yesterday afternoon. "I have spent my life defending people from harassment, people from intimidation," he said angrily. But at another point he



WILLIAM S. SESSIONS
... "I don't know who I offended"

said, "I don't know who I offended at the Department of Justice."

Sessions suggested that Barr, who resigned on Jan. 15, embraced the findings of a six-month ethics investigation only because of Sessions's efforts to erase discrimination in the bureau and his unwillingness to let politics influence bureau operations.

But under questioning, he said Barr never objected to his anti-discrimination effort. Nor could he point to any instances in which Barr attempted to inject politics into investigations.

Sessions suggested that Barr was upset because Sessions vowed to conduct an independent inquiry into how the Justice Department handled the controversial Banca Nazionale del Lavoro (BNL) case. But he acknowledged that Barr himself initiated the FBI investigation.

Barr, in an interview with the Associated Press, said, "My assumption is that if he could rebut the facts, he wouldn't have to resort to personal attacks on me." Michael E. Shaheen, who heads OPR, said the ethics office interviewed "scores of people under oath" during its six-month investigation and stands by its report.

Sessions described himself as a victim of powerful enemies, apparently including the FBI's own unit for internal investigations, which aided OPR. The OPR report, Sessions said, is the product of "a league" of people "determined to scuttle the director," including the former head of his security detail.

Sessions said he replaced the employee after Alice Sessions found that the security agent had entered their bedroom without permission. Later, the FBI director said the employee was found taking files out of the security room.

In both his interview and a 25-page statement prepared by his lawyers, Sessions stressed the relatively minor sums of money allegedly involved. For example, in claiming an improper tax exemption for the benefit of his FBI limousine, he said he may have lowered his taxable income by no more than $2,000 to $3,000 a year.

In that instance and others, he said he relied on the advice on the FBI's legal counsel. Nevertheless, he acknowledged he did not abide by all the conditions the legal counsel set for claiming the tax exemption.

The FBI director also said he did not believe Riggs National Bank of Washington bent its rules to give him a $375,000 mortgage, although OPR's report said Sessions's 1989 salary of $89,500 a year would not qualify him for such a big loan if the bank had followed its own guidelines. Sessions said he is now friends with Riggs chairman Joe L. Allbritton but knew him only slightly before he obtained the mortgage and never discussed the loan with him.

He criticized OPR's report for suggesting he refueled FBI aircraft in Fort Smith, Ark., so he could celebrate his father's birthday there. Sessions presented a statement from two FBI pilots who said they, not Sessions, chose the place to stop.

"A little investigation, a little care, would have been easier on the director's reputation," he said.

Sessions also defended his former executive assistant, Sarah Munford, who was fired Jan. 11 after OPR found she misused her position. The director said he found "a similarity" between how OPR treated Munford's case and his own.

He also defended his wife's involvement in bureau affairs, a sore spot among many FBI officials. OPR said Sessions allows his wife too much say in FBI matters. But Sessions's statement said: "OPR has adopted the bureau's historic old-boy view of the way things used to be, and ever should, to their mind. OPR should become aware that in today's society, spouses have a positive and proper role to play."

While Sessions struggles to keep his job, the FBI clearly is in crisis mode. In the bureau's field offices, agents said the director's future is an all-consuming topic of conversation.

James M. Fox, who heads the FBI's New York office, said Friday, "I have only positive feelings for this man. When he comes here, he works his tail off. And it's all FBI business."

At another major field office, however, a top official said he hopes for Sessions's quick resignation. "It's just terrible. The organization we hold very sacred is being denigrated," he said. "The agents I've talked to, bar none, are very upset about this."

Sessions is contacting members of Congress in an effort to retain what has been his strong support from Capitol Hill. Sen. Arlen Specter (R-Pa.), appearing yesterday on CNN's "Newsmaker Saturday," said, "I think there is a sufficient basis to remove him for cause, unless he can come out and exonerate himself."

Coretta Scott King and former United Nations ambassador Andrew Young issued a joint statement praising Sessions for working to ease racial tensions within the bureau and to increase hiring and promotion of minorities and women.

THE FBI DIRECTOR'S REBUTTAL

Following are highlights of William S. Sessions's attorneys' response to allegations of wrongdoing made by the Justice Department's Office of Professional Responsibility:

■ **Tax status of government car:** "The director has determined to pay . . . taxes [on imputed income for the use of a government vehicle]. The amount of additional imputed income in issue, based upon experience of prior years, can be expected to be somewhere between $500-$1,400, on which tax will have to be paid."

■ **The security fence:** "The [$3,750] fence and [$6,140] gate [and electronic gate opener] do enhance the security at his residence—at a substantially lower cost than the security contemplated by the Bureau experts. . . . For the report to characterize the director's role in this affair as 'misconduct' is palpably erroneous and unfair."

■ **Personal use of government car:** "The director has not to his knowledge failed to [reimburse the government for personal use of his armored vehicle]."

■ **Offering rides to others:** "OPR cites only two instances over a five-year period [of transporting Sessions's wife, Alice, alone in FBI vehicles on personal errands]. . . . The director is well-known as a courteous and proper gentleman [who] would occassionally offer a ride in his vehicle to a colleague, relative or friend accompanying him. . . . The director is being told he should refuse travel to 'unauthorized passengers' in his vehicle without regard to the individuals, circumstances and common courtesy."

■ **Air travel:** "There is no question that when the director has visited family members in various cities, he has scheduled significant official FBI business at the same time. The director is confident that that business has not been viewed as 'trivial' by the FBI field officials or others with whom he has dealt on these occasions. . . . FBI counsel reviews each of the director's trips, and the director has treated each trip as personal or business pursuant to FBI legal counsel's determination."

■ **Contact with Soviets:** "OPR appears to chastise the director [for failing to file a 'personal contact report' upon having an unofficial contact with a Soviet citizen] principally because of his wife's connection with this incident. . . . In today's society, spouses have a positive and proper role to play in support of their spouses, and Mrs. Sessions has always supported the mission and good work of the FBI in word and deed."

■ **Mortgage on residence:** "The director told OPR unequivocally that he knew of no favorable or special treatment given him by [Riggs National Bank in the financing of his residence in Washington]. Bank officials have confirmed . . . that the director did not seek, directly or indirectly, any special treatment from the bank."